GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Municipal Administration & Urban Development Department – Town Planning – Ramachandrapuram Municipality – Change of land use from Public and Semi Public use to Residential use in R.S.No.509/1 to an extent of 6207.18 Sq.Mts in Ramachandrapuram Municipality – Cancellation of confirmation orders – Issued.

G.O.MS.No. 294 Dated: 28-07-2017

Read the following:

1. G.O.Ms.No.765 MA&UD (H1) Dept, Dt.17-10-2007.
2. Orders dated 25.01.1997 of Prl.Sub-Ordinate Judge, Kakinada in OS No.96/1986.
3. WP No.6610/2010 filed by Sri T.D.S. Kumar, S/o Samuel chairman of the trust Association of the convention of Baptist Church of Northern Circars (CBCNC).
4. From the Prl. Secy. to CM, CMP No.1049/SCS/2016, dt.15.09.2016.
5. Govt. Memo No.364717/H1/2016, dt:07.10.2016.
6. From the DTCP, AP, Guntur, Lr.Roc.No.5026/2016/R1, dt:16.11.2016.
7. Govt. Memo No.364717/H1/2016, dated 16.03.2017.
8. From the Govt. Pleader, APHC Lr.No.WP No.6610/2010/KJR/MA&UD, dt.16.03.2017.

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ORDER:

In the reference 1st read above, Government have issued orders confirming the change of land use from Public & Semi-public use to Residential use in R.S No.509/1 in Ramachandrapuram Municipality to an extent of 6207.18 Sp.Mts in favour of Smt.N.Subbalakshmi & 3 others.

2. In the reference 2nd read above, Sri Thota Thrimurthulu, MLA, in his letter addressed to Hon'ble Chief Minister, has stated that the lands in R.S.No.509/1 belongs to CBCSI were sold to private persons illegally and the change of land use permission was granted to the in eligible persons and requested to cancel the orders issued in G.O.Ms.No.765, Dt.17-10-2007 and to take back the Canadian Baptist Board Lands in Ramachandrapuram Municipality as per the orders in OS No.96/1986 dated:25.01.2017 and WP No.6610/2010 of Hon'ble Andhra Pradesh High Court.

3. In the reference 6th cited, the Director of Town & Country Planning, AP., Guntur has furnished detailed report by mentioning the orders in OS No.96/1986 dated:25.01.2017 and WP No.6610/2010 of Hon'ble Andhra Pradesh High Court and requested the Government to take further action in the matter.

4. The Principle Sub-ordinate Judge, Kakinada in his orders dt:25.01.1997 has delivered the judgement in OS No.96/1986 with a direction to recover the possession of the properties in R.S.No.509/1 in Ramachandrapuram Municipality which comes the property for which Government have issued confirmation orders in G.O.Ms.No.765, MA&UD, dt:17.10.2007.

5. Further, one Sri T.D.S. Kumar, S/o Samuel chairman of the trust Association of the convention of Baptist Church of Northern Circars (CBCNC) have filed W.P.No.6610/2010 against Government and others challenging the G.O.Ms.No.765 MA, Dt.17-10-2007 and requested for cancellation of the same.

6. Government, after obtaining the legal opinion from the advisory departments came to conclusion that the orders issued in G.O.Ms.No.765, MA&UD, dt:17.10.2007 by the Government were issued by overlooking the judgement rendered in O.S.No.96/1986, dt:25.01.1997 and the Hon'ble High Court also granted stay orders in W.P.No.6610/2010 against G.O.Ms.No.765, dt:17.10.2007.

7. Government, after careful examination, hereby cancelled the confirmation orders issued in G.O.Ms.No.765 MA&UD (H1) Dept, Dt.17-10-2007 for change of land use from Public & Semi-public use to Residential use in R.S.No.509/1 in Ramachandrapuram Municipality to an extent of 6207.18 Sp.Mts.

(P.T.O.)

8. The Director of Town & Country Planning, AP, Guntur / Commissioner, Ramachandrapuram Municipality shall take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R. KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Town & Country Planning, AP, Guntur.
The Commissioner, Ramachandrapuram Municipality.
The Government Pleader, MA&UD Department, Hon'ble AP High Court, Hyderabad.
(With a request to appraise the same to Hon'ble APHC at the time of hearing)
Copy to :
The PS to Special Chief Secretary to Hon'ble Chief Minister.
The OSD to Hon'ble Minister(MA&UD)
The PS to Principal Secretary to Government, MA&UD Dept.

// FORWARDED :: BY :: ORDER //

SECTION OFFICER